



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
10117 PRINCESS PALM AVE., SUITE 120
TAMPA, FLORIDA 33610

Tampa Regulatory Office

December 12, 2008

PUBLIC NOTICE

Permit Application No. SAJ-2008-4249 (IP-CJW)

TO WHOM IT MAY CONCERN: This district has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) as described below:

APPLICANT: Polk County Board of County Commissioners
330 West Church Street
Bartow, Florida 33830

WATERWAY & LOCATION: The West Pipkin Road Widening project is located just south of Lakeland Linder Regional Airport and extends from Medulla Road to Old Highway 37, in Sections 8-11, Township 29 South, Range 23 East, in western Polk County, Florida.

Directions to the site are as follows: From Tampa travel east on I-4. Take exit 27 to the Polk Parkway. Merge onto the Polk Parkway-east to exit 3 for SR-572/Airport Rd. Turn right at Airport Rd. Turn left on Drane Field Road and head west towards County Line Road. Turn left on County Line Road and travel South to West Pipkin Road. Turn left onto West Pipkin Road. Travel to intersection of West Pipkin Road and Medulla Road.

LATITUDE & LONGITUDE: Latitude 27.97472 North
Longitude 81.97333 West

PROJECT PURPOSE:

Basic: Road widening of the existing West Pipkin Road.

Overall: The West Pipkin Road project converts the existing two-lane rural roadway into a four-lane urban roadway.

PROPOSED WORK: The applicant proposes to fill approximately 1.14 acre of wetlands, 0.13 acres of Poley Creek, and 3.14 acres of other surface waters to convert the existing two-lane rural

roadway into a four-lane urban roadway. The project will involve work at the Yates Road, Old Medulla Road, and South Pipkin Road intersections.

EXISTING CONDITIONS: The wetland system onsite consists of forested and herbaceous freshwater systems. The vegetation within the freshwater marsh systems include sand cordgrass (*Spartina bakeri*), soft rush (*Juncus effusus*), and pickerelweed (*Pontederia cordata*). Nuisance and exotic vegetation observed within portions of this habitat type included torpedo grass, Peruvian primrose willow, and cattails. The vegetation within the forested wetland systems include common hardwood species including red maple (*Acer rubrum*), willows (*Salix* sp.), water oak (*Quercus nigra*), cypress (*Taxodium* sp.), and laurel oak (*Quercus laurifolia*). Nuisance species such as cattails and Peruvian primrose willow were observed along the margins of this habitat type. The existing area surrounding the project area consists of predominately developed areas with residential land uses. Native upland and wetland habitats are fragmented and have been altered by adjacent land uses. Land uses within and adjacent to the project area include residential land uses, upland habitats, wetland habitats, transportation land uses, communication land uses, and utilities. Many areas along the project corridor were observed to be in transition from agricultural land uses to residential and commercial land uses.

Avoidance and Minimization Information: The applicant has minimized impacts to the practical extent possible. No additional encroachment beyond the proposed four-lane expansion is planned.

Compensatory Mitigation: To mitigate for the unavoidable functional loss to the aquatic environment (0.83 functional units, utilizing the Uniform Mitigation Assessment Method), the applicant is proposing onsite mitigation in three floodplain compensation sites and one creation area.

ENDANGERED SPECIES: The U.S. Army Corps of Engineers (Corps) has determined the proposed project may affect, but is not likely to adversely affect the Federally endangered wood stork (*Mycteria americana*) and the Federally threatened Eastern Indigo Snake (*Drymarchon corais couperi*) or its designated critical habitat. The entire project area falls within the Core Foraging Areas of two known wood stork nesting sites. No wood storks were observed during field surveys. No eastern indigo snakes were encountered during field surveys. However, native upland habitat suitable for the indigo snake is present. Therefore,

the standard guidelines for the protection of indigo snakes will be implemented during construction. By separate letter, the Corps will request the U.S. Fish and Wildlife Service's concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

ESSENTIAL FISH HABITAT (EFH): This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The jurisdictional line has not been verified by Corps personnel.

AUTHORIZATION FROM OTHER AGENCIES: Water Quality Certification may be required from the Florida Department of Environmental Protection and/or one of the state Water Management Districts.

Comments regarding the application should be submitted in writing to the District Engineer at the above address within 21 days from the date of this notice.

If you have any questions concerning this application, you may contact Cynthia Wood at the letterhead address, by electronic mail at Cynthia.J.Wood@usace.army.mil, by telephone at 813-769-7070 by or by fax at 813-769-7061.

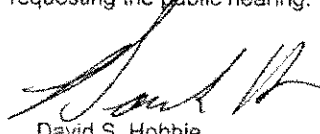
The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to the associated wetlands. This is based on an analysis of the applicant's avoidance and minimization efforts for the project, as well as the compensatory mitigation proposed.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act of the criteria established under authority of Section 102(a) of the Marine, Protection, Research, and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make or deny this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with approved Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.

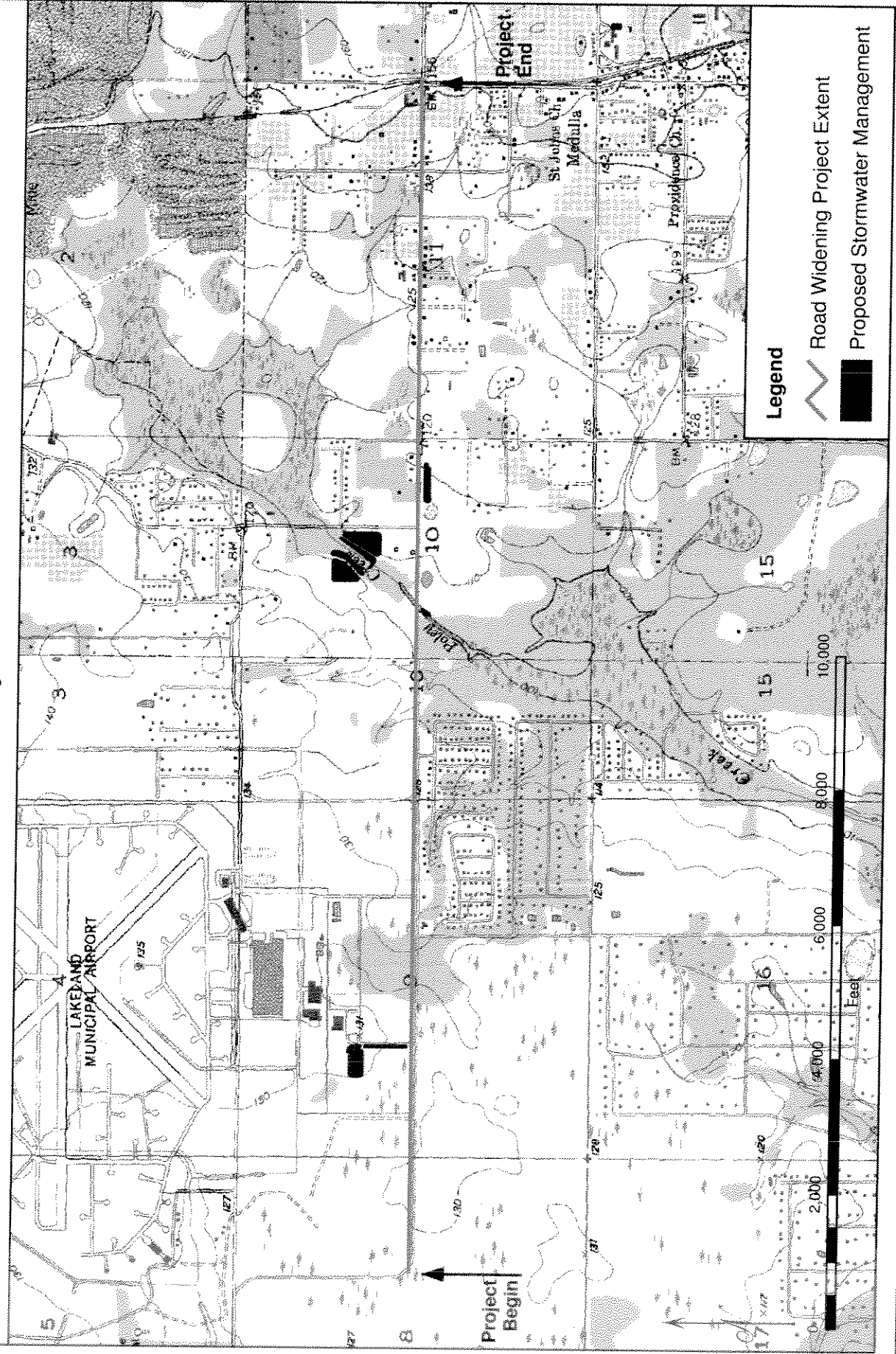


David S. Hobbie
Regulatory Division

WEST PIPKIN ROAD

From Medulla Road to Harden Boulevard

USGS Quad Map Mulberry and Nichols Quadrangles

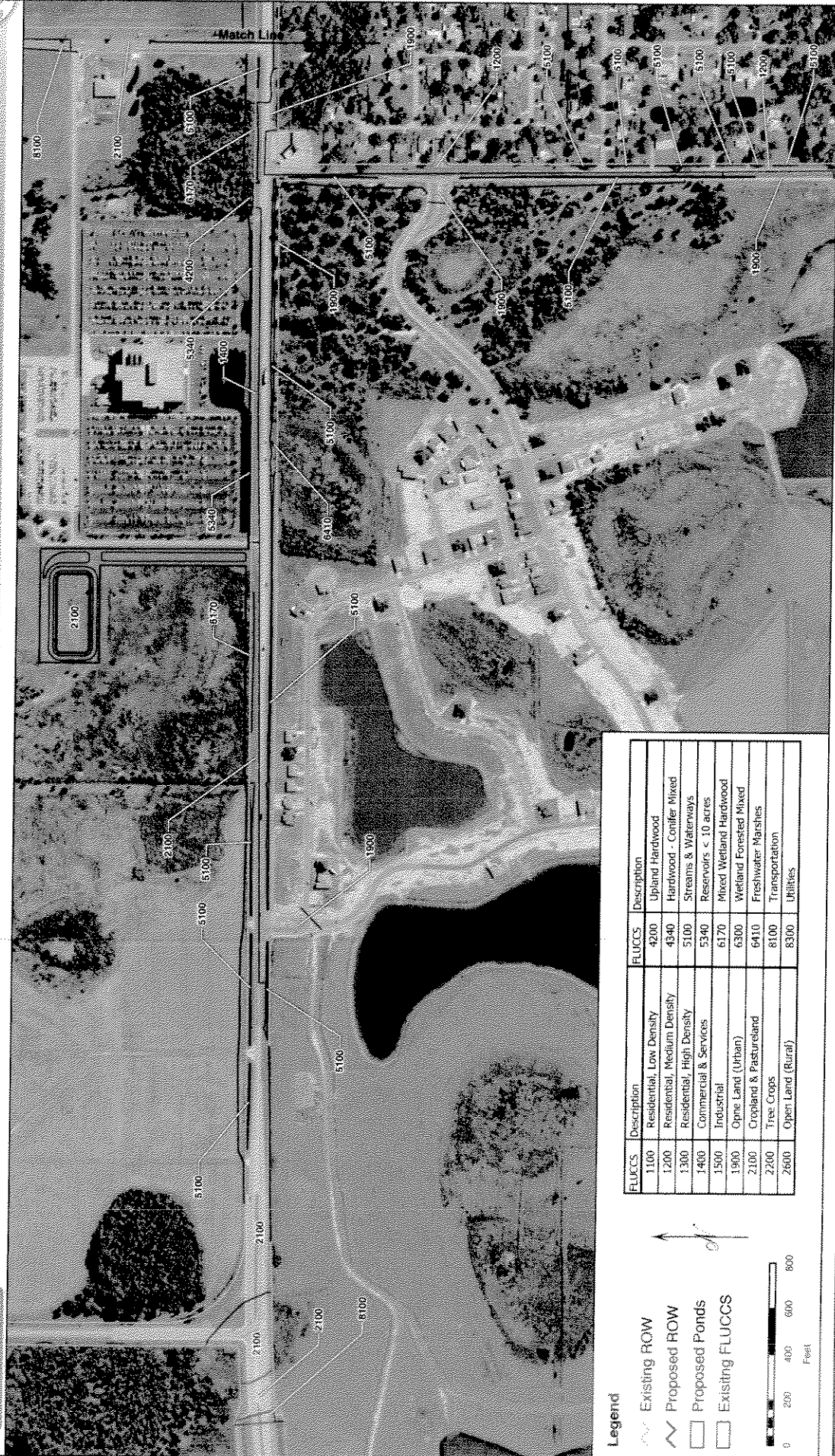
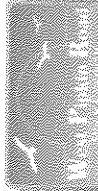


WEST PIPKIN ROAD

FLUCCS

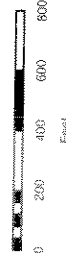
From Medulla Road to Harden Boulevard

Polk County Project Number: 042494



Legend

- Existing ROW
- Proposed ROW
- Proposed Ponds
- Existing FLUCCS



FLUCCS	Description	FLUCCS	Description
1100	Residential, Low Density	4200	Upland Hardwood
1200	Residential, Medium Density	4340	Hardwood - Conifer Mixed
1300	Residential, High Density	5100	Streams & Waterways
1400	Commercial & Services	5340	Reservoirs < 10 acres
1500	Industrial	6170	Mixed Wetland Hardwood
1900	Open Land (Urban)	6300	Wetland Forested Mixed
2100	Cropland & Pastureland	6410	Freshwater Marshes
2200	Tree Crops	8100	Transportation
2600	Open Land (Rural)	8300	Utilities

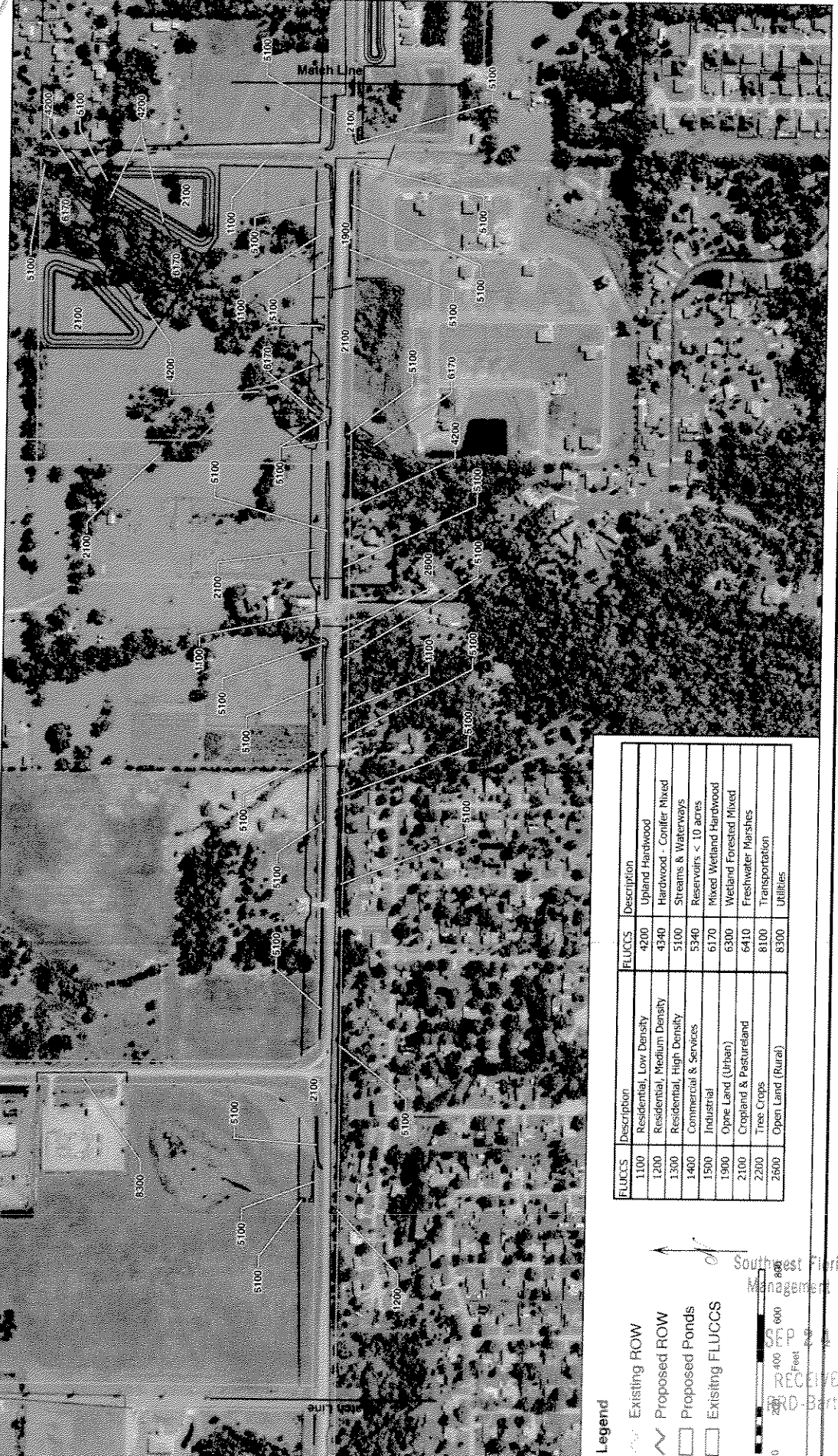
SAS 2008-4249 Sheet 2 of 7
Polk County

WEST PIPKIN ROAD FLUCCS

From Medulla Road to Harden Boulevard

Polk County, Florida

West Pipkin Road



FLUCCS	Description	FLUCCS	Description
1100	Residential, Low Density	4200	Upland Hardwood
1200	Residential, Medium Density	4340	Hardwood - Conifer Mixed
1300	Residential, High Density	5100	Streams & Waterways
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Legend

- Existing ROW
- Proposed ROW
- Proposed Ponds
- Existing FLUCCS

Southwest Florida Water Management District

SEP 2008

CLIVED

BO-Bartow

SAS 2008-4249
Polk County Sheet 3 of 7

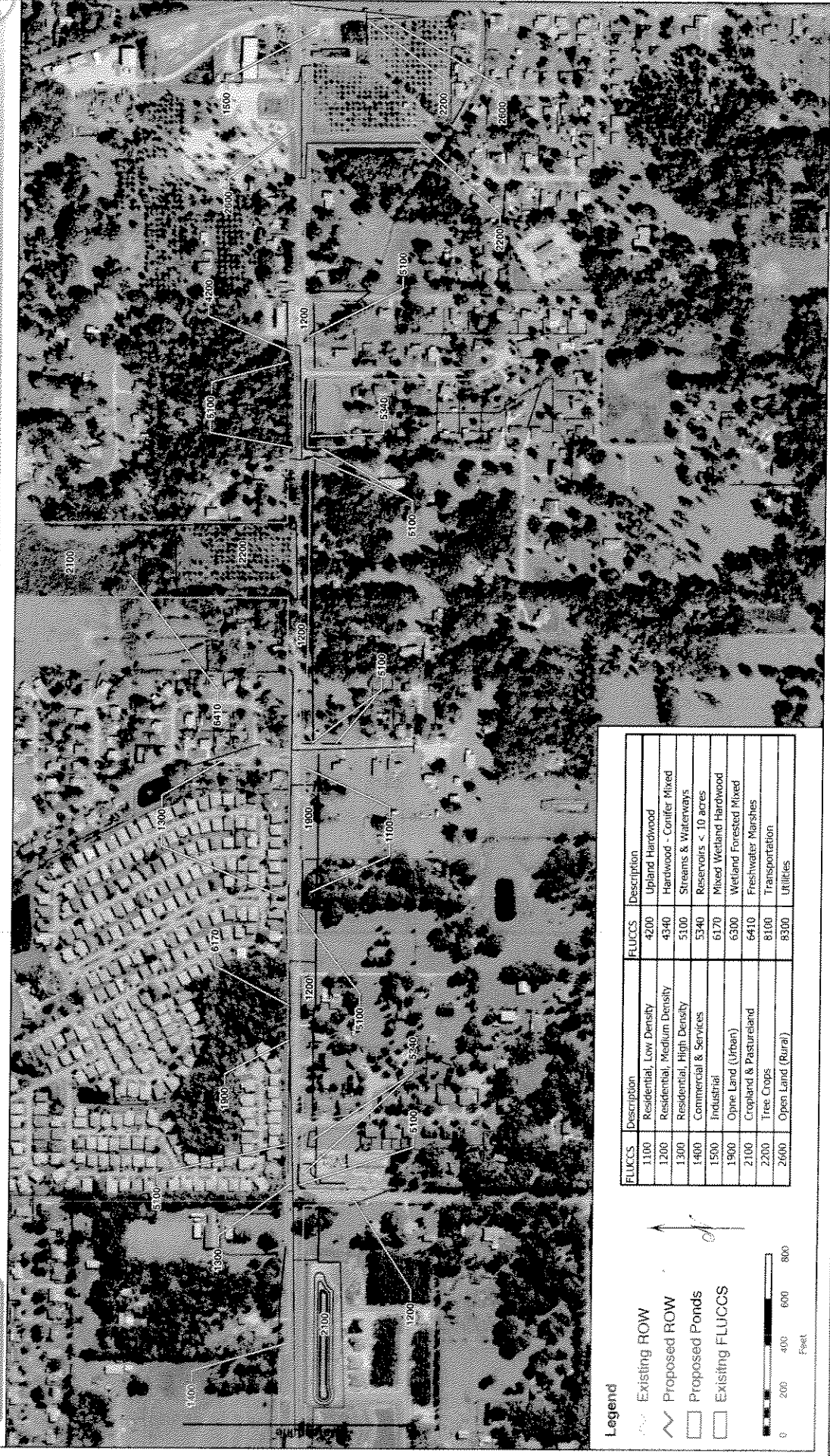


WEST PIPKIN ROAD

FLUCCS

From Medulla Road to Harden Boulevard

Polk County, Project Number: 4249



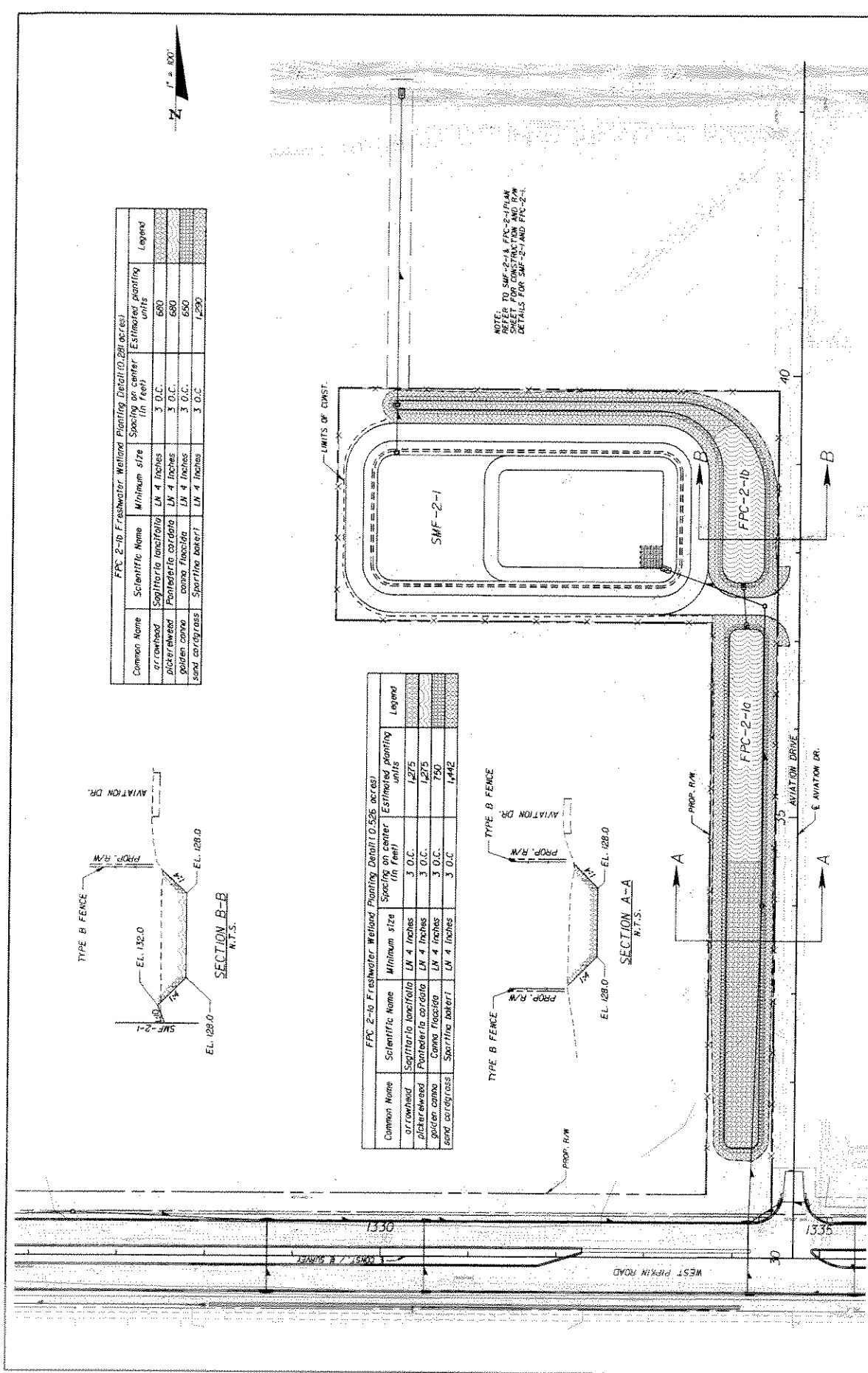
Legend

- Existing ROW
- Proposed ROW
- Proposed Ponds
- Existing FLUCCS



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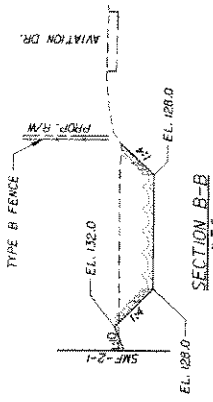
SAT 2008-4249
 Polk County Sheet 4 of 7



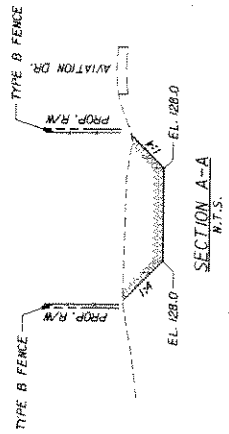
NOTE: REFER TO SUP-2-14, FPC-2-1 PLAN SHEET FOR CONSTRUCTION AND R/W DETAILS FOR SMF-2-1 AND FPC-2-1.

N
1" = 100'

Common Name	Scientific Name	Minimum size	Spacing on center (in feet)	Estimated planting units	Legend
arrowweed	<i>Sagittaria latifolia</i>	LN 4 inches	3 O.C.	680	
pickerelweed	<i>Potamogeton nodosus</i>	LN 4 inches	3 O.C.	680	
golden canna	<i>Canna flaccida</i>	LN 4 inches	3 O.C.	650	
reed cangrass	<i>Spartina bakeri</i>	LN 4 inches	3 O.C.	1,250	



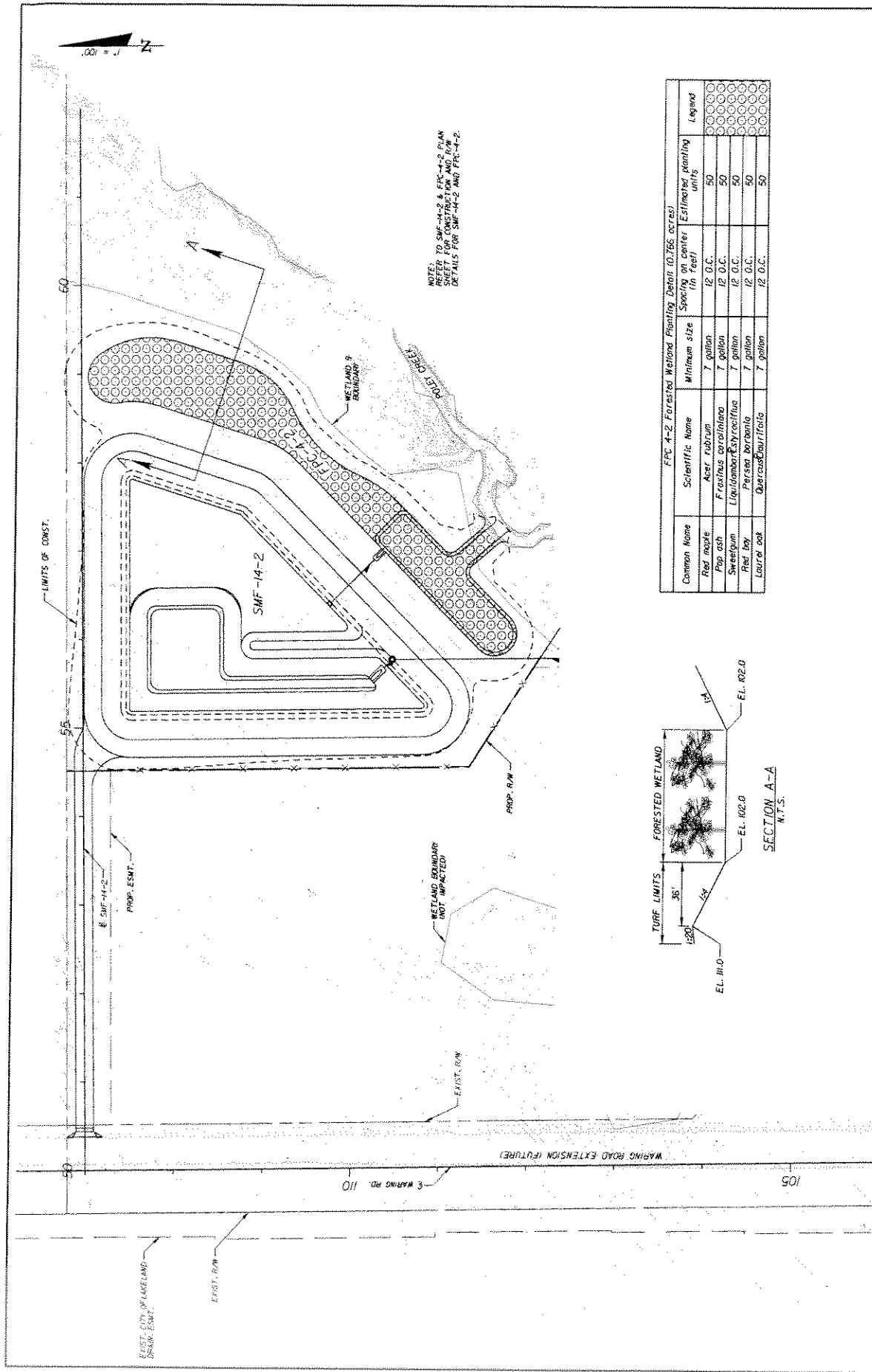
Common Name	Scientific Name	Minimum size	Spacing on center (in feet)	Estimated planting units	Legend
arrowweed	<i>Sagittaria latifolia</i>	LN 4 inches	3 O.C.	1,275	
pickerelweed	<i>Potamogeton nodosus</i>	LN 4 inches	3 O.C.	1,275	
golden canna	<i>Canna flaccida</i>	LN 4 inches	3 O.C.	750	
reed cangrass	<i>Spartina bakeri</i>	LN 4 inches	3 O.C.	1,442	



POLK COUNTY
 PUBLIC WORKS DEPARTMENT - TRANSPORTATION ENGINEERING DIVISION
 350 WEST COMMERCE STREET, SUITE 200, DES MOINES, IA 50319
 (515) 281-1700

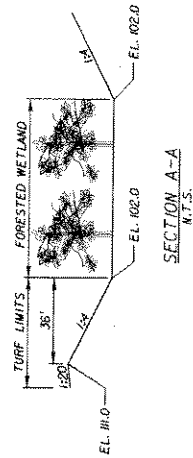
FPC-2-1 MITIGATION DETAIL
 WEST PIPKIN ROAD
 PROJECT NO. 5400041
 SHEET

SAG 2008-4249
 POLK COUNTY
 Sheet 5 of 7



NOTE: TO SEE SMF-14-2, SEE SHEET FOR CONSTRUCTION DETAILS FOR SMF-14-2 AND FPC-4-2.

Common Name	Scientific Name	Minimum Size	Spacing on center (in feet)	Estimated planting units	Legend
Red maple	<i>Acer rubrum</i>	7 gallon	12' O.C.	50	(Symbol)
Pop ash	<i>Fraxinus caroliniana</i>	7 gallon	12' O.C.	50	(Symbol)
Sweetgum	<i>Liquidambar styraciflua</i>	7 gallon	12' O.C.	50	(Symbol)
Red bay	<i>Persea caroliniana</i>	7 gallon	12' O.C.	50	(Symbol)
Large oak	<i>Quercus laurifolia</i>	7 gallon	12' O.C.	50	(Symbol)



POLK COUNTY PROJECT NO. 5400041 PROJECT NAME WEST PIPKIN ROAD SHEET 6 of 7	
FPC-4-2 MITIGATION DETAIL	
DATE: 11/11/08 DRAWN BY: [Name] CHECKED BY: [Name] DESIGNED BY: [Name] PROJECT MANAGER: [Name]	

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Polk County Sheet 6 of 7

